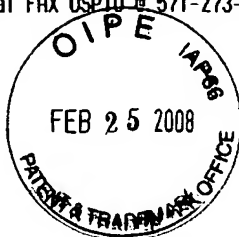


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PATENT

Application 10/626,443

Attorney Docket 2002P12271US01 (1009-285)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Hogan, Michael
Application 10/626,443
Confirmation 9636
Filed 24 July 2003
Application Title Devices, Systems, and Methods for Mediated Rule-Based Translation
System Configuration Information
Art Unit 2129
Latest Examiner Coughlan, Peter D.

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

I, Michael Hogan, a citizen of United States of America, whose full post office address is 1143 Clemmer's Mill Rd. Schwenksville, PA 19473 declare as follows under penalty of perjury.

Background:

1. I hold a Bachelor of Arts degree in Mathematics from Pennsylvania State University awarded in 1986.
2. I hold a Master's of Engineering degree in Engineering Science from Pennsylvania State University awarded in 1992.
3. I hold a Master of Science degree in Systems Engineering from University of Pennsylvania awarded in 2000.

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4. I am currently a Principal Software Engineer with Siemens Energy and Automation.
5. Since 1989, I have worked continually in the field of computer applications with particular emphasis in translating system configuration information.

Review

6. I have reviewed Application Serial No. 10/626,443 (hereinafter the present application).
7. I know, and limit my statements herein to, what one of ordinary skill in the art of the present application would have known on the priority date claimed by the present application (6 August 2002).
8. I have reviewed the USPTO Office Action dated 27 December 2007 (hereinafter the "Office Action") regarding Application Serial No. 10/626,443.
9. Among the subject matter with which I was familiar prior to 6 August 2002 was subject matter of the type recited in the present application.

One Having Ordinary Skill in the Art Would Have Been Able to Practice the Claimed Subject Matter of Claims 1-45 Without Undue Experimentation

10. The present Office Action states, at Pages 2-3, "Claims 1, 43, 44, 45 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. There is no explanation or description on which 'pattern matching rules based on expert knowledge' is to be employed within the invention."
11. One of ordinary skill in the art of computer applications and/or translating system configuration information would have found the statements of the present Office Action recited in paragraph 10 factually incorrect as of 6 August 2002.
12. Instead, one of ordinary skill in the art would have found that the application, as originally submitted, states at page 5, line 25 – page 6, line 6 (emphasis added), "[t]he

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experts who program a configurable system generally use consistent programming patterns to express specific domain concepts. These patterns can manifest as relationships between the programming elements that make up the configuration. Such patterns can assume a variety of forms, e.g., certain elements appearing together as a set, certain hierarchical relationships between programming elements, certain naming conventions, etc. Certain exemplary embodiments are capable of identifying these patterns, relating them to corresponding domain concepts, and/or generating configuration information in the target system and/or document that encodes these concepts in such a way that the domain expert can easily recognize them. This technique, which can include translating at the knowledge level, can preserve the domain knowledge that is embodied in the source configuration.

13. Instead, one of ordinary skill in the art would have found that the application, as originally submitted, states at page 7, lines 24 – 31 (emphasis added), “[t]o generate certain rules, the domain expert can identify patterns that occur between two or more related elements of the information, such as knowledge elements, each of such elements identifiable as an entity in the information. In certain embodiments, the expert can identify that when certain patterns occur, an automated transformation of the information can occur. Exemplary patterns for which automated transformation might be applicable include when information elements belong to a common set, a hierarchy exists among certain elements, and/or a naming convention suggests a relationship between elements.
14. One of ordinary skill in the art would have closely studied Fig. 2 in view of each of Fig. 3, Fig. 4, and Fig. 5 and at least page 9, line 21 – page 13, line 2, which explain Fig. 2 in view of each of Fig. 3, Fig. 4, and Fig. 5.
15. One of ordinary skill in the art would have had sufficient knowledge, as of 6 August 2002, based upon the portions of the application cited in paragraphs 12-14, to practice the claimed subject matter of each of claims 1-45 without undue experimentation.
16. Thus, one of ordinary skill in the art would have found the statements of the present Office Action recited in paragraph 10 factually incorrect as of 6 August 2002.

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I further declare that all statements made herein of my own knowledge are true and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 19th day of February, 2008



Michael Hogan